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Paper No. 4

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OFFICE OF PETITIONS

In re Application of
Dov Ingman
Application No. 10/053,393 : DECISION GRANTING
Filed: November 9, 2001 : PETITION
Attorney Docket No. 158/02451 :

This is a decision on the petition filed May 28, 2002, requesting that the above-identified application be accorded a filing date of November 9, 2001, rather than the presently accorded date of November 7, 2001. The petition is properly treated as a petition under 37 CFR 1.10(c).

The petition is **GRANTED**.

Applicant requests the later filing date on the basis that the application was purportedly deposited with the U.S. Postal Service (USPS) as Express Mail on November 9, 2001 pursuant to 37 CFR 1.10. In support, applicant has submitted a copy of Express Mail label No. EL432143341US showing an illegible handwritten "date-in" as well as an illegible "USPS" receipt stamp. The same Express Mail receipt number appears on the Certificate of Mailing by "Express Mail" dated November 9, 2001.

The Office has obtained records from the USPTO's USPS Express Mail Information Database corroborating petitioner's allegations that the application papers were, in fact, deposited as "Express Mail" on November 9, 2001 (copy enclosed).

A corrected filing receipt showing the filing date of the instant application accompanies the decision.

This application file is being forwarded Technology Center 3700 for examination in due course.

Telephone inquiries concerning this matter may be directed to Marianne Morgan at (703) 306-3475.

Brian Hearn

Brian Hearn
Senior Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
For Patent Examination Policy

ATTACHMENTS: Corrected Filing Receipt
Copy of USPTO USPS Express Mail Information Database